

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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RIFKA RENEE ELIAS,

Plaintiff, **NOTICE OF MOTION TO  
PARTIALLY DISMISS THE  
COMPLAINT**

-against-

CITY OF NEW YORK, NYC HEALTH AND 19-CV-11411 (JMF)  
HOSPITAL,

Defendants.

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**PLEASE TAKE NOTICE** that upon the accompanying Declaration of Assistant Corporation Counsel Monaliza Seepersaud and one (1) annexed exhibit, the Notice Pursuant To Local Civil Rule 12.1 to Pro se Litigant Who Opposes A Rule 12 Motion Supported By Matters Outside The Pleadings dated July 20, 2020, the Memorandum of Law in Support of Defendants' Motion to Dismiss the Complaint, dated July 20, 2020, and upon all the papers and proceedings previously had herein, Defendants will move this Court at the United States Courthouse for the Southern District of New York, 40 Foley Square, New York, New York, 10007, before the Honorable Jesse M. Furman, United States District Judge, on a date and time to be decided by the Court, for a judgment, pursuant to Rule 12(b), dismissing the Complaint in part against the Defendants on the grounds that the Complaint is time-barred and that the Complaint fails to state a plausible claim upon which relief can be granted, and granting such other and further relief that this Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to Local Civil Rule 6.1(b), Defendants demand that Opposition papers, if any, must be served within fourteen days after service of these moving papers.

Date: New York, New York  
July 20, 2020

**JAMES E. JOHNSON**  
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City of New York  
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By: /s/ Monaliza Seepersaud  
Monaliza Seepersaud  
Assistant Corporation Counsel

To: Rifka Renee Elias (By Email)  
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19-CV-11411 (JMF)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RIFKA RENEE ELIAS,

Plaintiff,

-against-

CITY OF NEW YORK, NYC HEALTH AND HOSPITAL,

Defendants.

**NOTICE OF MOTION TO PARTIALLY DISMISS THE  
COMPLAINT, RULE 12.1 NOTICE AND  
DECLARATION**

***JAMES E. JOHNSON***

*Corporation Counsel of the City of New York*

*Attorney for Defendants*

*100 Church Street, Room 2-109A*

*New York, New York 10007-2601*

*Of Counsel: Monaliza Seepersaud*

*Telephone: (212) 356-0839*

*Matter No.: 2020-007461*

*Due and timely service is hereby admitted.*

*Dated: New York, New York.....2020*

*Signed: .....*

*Attorney for .....*